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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/726,751	12/02/2003	John Hines	TUMB-113	6824
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26137 7590 06/07/2007

PATENT DEPARTMENT
SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
FOUR TIMES SQUARE
NEW YORK, NY 10036

EXAMINER

NALVEN, ANDREW L

ART UNIT	PAPER NUMBER
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2134

MAIL DATE	DELIVERY MODE
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06/07/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/726,751

Applicant(s)

HINES ET AL.

Examiner

Andrew L. Nalven

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/3/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>5/17/05, 10/6/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claim 1 is pending.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. **Claim 1 is rejected under 35 U.S.C. 112, second paragraph**, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 provides an "examining" step in line 8 which requires "examining a processing result." However, it is unclear what "processing" is being done. The claim as currently presented provides only for "facilitating certificate processing requests," but do not provide for any actual processing.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claim 1 is rejected under 35 U.S.C. 102(b)** as being anticipated by Microsoft MSDN "Adding Revocation Providers to CryptoAPI for Identrus Applications."

4. **With regards to claim 1**, MSDN teaches interposing a rule-based application as a primary revocation provider of the CAPI interface (MSDN, page 1, paragraph 2 "revocation trust provider based on the CryptoAPI"), associating certificate types with processing rules in the interposed rule-based application (MSDN, page 2, paragraphs 1-3, "provides detailed information about...requests and return details...for other protocols such as SCVP, CSC, XKMS, and CRLs"), facilitating certificate processing requests by employing one of a plurality of protocols as specified by said processing rules (MSDN, page 2, paragraphs 1-3, "protocols such as SCVP, CSC, XKMS, and CRLs"), examining a processing result by reference to a rule-based algorithm (MSDN, pages 4-6, return results), determining whether a condition of the rule-based algorithm is applicable to the processing result (MSDN, page 4, paragraph 2, determines if first provider knows the status of the certificate, see also Page 6), applying an action corresponding to the condition if a condition is applicable to the processing result (MSDN, page 4, paragraphs 1 and 2, returns value) the action includes specifying a second protocol for implementing said certificate processing request (MSDN, page 4, paragraph 2, move to second provider if certificate is not known), and providing certificate processing results from the rule-based application to the CAPI interface (MSDN, page 4, "function can return the following values").

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
6. Dickinson et al US Patent No. 6,853,988 discloses a cryptographic server with provisions for interoperability between cryptographic systems.
7. Koscher US Patent No. 6,901,509 discloses a method for demonstrating and confirming the status of a digital certificate and other data.
8. Camus et al US PGPub 2006/0050885 discloses a method for performing cryptographic functions in a computer application.
9. Elgamal et al US Patent No. 6,397,330 discloses a cryptographic policy filter and policy control method.
10. Spies et al US Patent No. 5,689,565 discloses a cryptography system for providing cryptographic services in a computer application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew L. Nalven whose telephone number is 571 272 3839. The examiner can normally be reached on Monday - Thursday 8-6, Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on 571 272 3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2134

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andrew Halvon

